

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF VIRGINIA
(Richmond Division)

In re:)	Chapter 11
)	
CIRCUIT CITY STORES, INC., <u>et al.</u> ,)	Case No. 08-35653-KRH
)	
Debtors.)	(Jointly Administered)
)	

NOTICE OF MOTION AND HEARING OF THE MOTION OF CARDINAL CAPITAL PARTNERS, INC. AND 680 S. LEMON AVE. CO. FOR ORDER COMPELLING IMMEDIATE PAYMENT OF ACCRUED RENT PURSUANT TO 11 U.S.C. § 365(d)(3) OR ALLOWING ADMINISTRATIVE CLAIMS PURSUANT TO 11 U.S.C. § 503(b)

PLEASE TAKE NOTICE that on April 1, 2009, The Motion of Cardinal Capital Partners, Inc. and 680 S. Lemon Ave. Co. (the "Motion") was filed pursuant to 11 U.S.C. § 365(d)(3) and § 503(b).

PLEASE TAKE FURTHER NOTICE that a hearing has been set to consider the Motion for **May 13, 2009 at 2:00 p.m.** before the United States Bankruptcy Court for the Eastern District of Virginia, Richmond Division, 701 E. Broad Street, Courtroom 5000, Richmond, Virginia 23219.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.) Under Local Bankruptcy Rule 9013-1 and the Court's Order Pursuant to Bankruptcy Code Sections 102 and 105, Bankruptcy Rules 2002 and 9007, and Local Bankruptcy Rules 2002-1 and 9013-1 Establishing Certain Notice, Case Management, and Administrative Procedures, if you want the Court to consider your views on the Motion, then you or your attorney must:

1. File with the Court, at the address shown below, a written response pursuant to Local Bankruptcy Rule 9013-1(H). If you mail your written response to the court for filing, you must mail it early enough so the court will **receive** it on or before **May 6, 2009**.

Clerk of the Court
United States Bankruptcy Court
701 East Broad Street, Suite 4000
Richmond, Virginia 23219

2. Attend the hearing scheduled for **May 13, 2009 at 2:00 p.m.** before the United States Bankruptcy Court for the Eastern District of Virginia, Richmond Division, 701 E. Broad Street, Courtroom 5000, Richmond, Virginia 23219. **If you or your attorney do not attend the hearing, the Court may grant the relief requested in the Motion.**

If you or your attorneys do not take these steps, the Court may deem any opposition waived, treat the motion as conceded, and issue an order granting the requested relief without further notice or hearing.

Dated: April 1, 2009
Richmond, Virginia

LeClairRyan, A Professional Corporation

/s/ Christopher L. Perkins

Christopher L. Perkins (VSB No. 41783)

Riverfront Plaza, East Tower

951 East Byrd Street, Eighth Floor

Richmond, Virginia 23219

Tel: (804) 783-7550

Fax: (804) 783-7686

christopher.perkins@leclairryan.com

- and -

Niclas A. Ferland (*admitted pro hac vice*)

Ilan Markus

555 Long Wharf Drive, 8th Floor

New Haven, CT 06511

Tel: (203) 773-5026

Fax: (203) 773-5027

niclas.ferland@leclairryan.com

ilan.markus@leclairryan.com

*Counsel for Cardinal Capital Partners, Inc.
and 680 S. Lemon Ave. Co.*

CERTIFICATE OF SERVICE

I hereby certify that on this 1st day of April, 2009, a true and accurate copy of the foregoing was electronically filed with the Clerk of the Bankruptcy Court for the Eastern District of Virginia, Richmond Division, using the CM/ECF system, which thereby caused the above to be served electronically on all registered users of the ECF system that have filed notices of appearance in this matter.

/s/ Christopher L. Perkins